



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,029	02/17/2004	Mark D. Adamski	DP-309791	9257

7590 02/08/2006

STEFAN V. CHMIELEWSKI
DELPHI TECHNOLOGIES, INC.
Legal Staff, Mail Code: CT10C
P.O. Box 9005
Kokomo, IN 46904-9005

EXAMINER

NGUYEN, TAN QUANG

ART UNIT PAPER NUMBER

3661

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

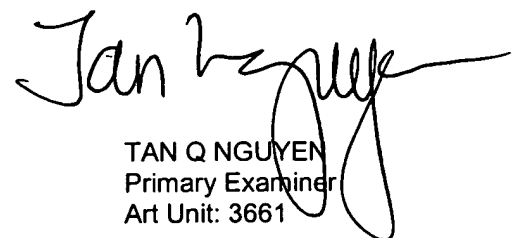
ART UNIT	PAPER
----------	-------

20060203

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents


TAN Q NGUYEN
Primary Examiner
Art Unit: 3661

Office Action Summary	Application No. 10/780,029	Applicant(s) ADAMSKI ET AL.	
	Examiner TAN Q. NGUYEN	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/07/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAIL ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-30 are pending.
2. The prior art submitted on July 07, 2005 has been considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4-10, 14-18, 20-22 and 25-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Adachi (5,430,655).
5. As per claims 1, 10 and 22, Adachi discloses the system, method and processor-recordable medium which includes means for obtaining current position of the vehicle (see at least column 3, lines 16-25), means for determining a current direction of travel of vehicle (see at least column 3, lines 20-23), means for identifying a point of interest as a functions of the current position of the vehicle and the current direction of travel of the vehicle (see at least column 5, lines 26-31), and means for communicating the point of interest to the occupant of the vehicle (see at least figure 1, item 15 and figure 7).

Art Unit: 3661

6. As per claims 4, 5, 14, 15, 25, 26, Adachi further discloses the identification of the street on which the vehicle is located, and list of intersections along the street (see figure 7).

7. As per claims 6, 7, 9, 16, 17, 20, 27, 28 and 30, Adachi also discloses that at least one intersection is communicated to the occupant in response to the movement of the vehicle (see figures 7-10 and the related text).

8. As per claims 8, 18 and 29, Adachi further discloses an input device to receive input from the occupant and the navigation system is configured to communicate the successive intersection points to the occupant of the vehicle (see at least figure 1, item 16 and the related text).

9. As per claim 21, Adachi discloses a memory device for storing the retrieved data (see at least figure 1, item 12).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 2, 3, 11-13, 19, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi as applied to the claims above, and further in view of Schmischkle et al. (6,078,863).

13. With respect to claims 2, 11 and 23, Adachi disclose means for displaying a graphic representation of the point of interest as shown in at least figure 7. Adachi does not disclose that the graphic representation of the vehicle is displayed. However, Schmischkle et al. suggest a method and apparatus for preparing route guide information for the driver of a vehicle which includes a display for graphically displaying both the intersections and the vehicle as shown in at least figure 1. It would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the teaching of Schmischkle et al. into the system of Adachi in order to provide the system with the enhanced capacity of displaying the current position of the vehicle on the display together with the intersections to let the occupant know exactly where he/she is in relative with those intersections.

14. With respect to claims 3, 12, 13, 19 and 24, Adachi does not disclose an audio device for generating an audio indicator of the intersection point. However, Schmischkle et al. do suggest that feature in at least column 2, lines 11-17 and lines 41-47). It would have been obvious to an ordinary skill in the art to incorporate the teaching of Schmischkle et al. into the system of Adachi in order to not only provide the optical display device having a turn arrow and further lines for the cross street, but also

Art Unit: 3661

provide a voice command for the occupant of the vehicle, thereby improving the safety for the occupant.

Conclusion

15. All claims are rejected.

16. The following references are cited as being of general interest: Kaneko et al. (5,729,109), Nanba et al. (5,739,772), Morimoto et al. (6,018,697), Sugiura et al. (6,119,066), Uchigaki (6,138,073), O'Shea (6,324,472), Deworetzki (6,633,813), and Komatsu (6,859,724).

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Q. Nguyen, whose telephone number is (571) 272-6966. The examiner can normally be reached on Monday-Thursday from 5:30 AM-4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (571) 272-6956.

Any response to this action should be mailed to:

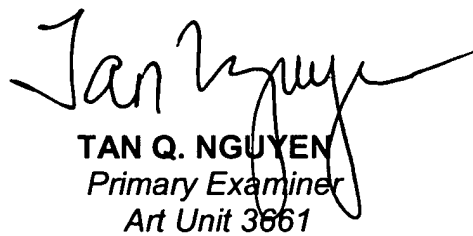
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to the Official Fax Center: (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 3661

/tqn
February 3, 2006


TAN Q. NGUYEN
Primary Examiner
Art Unit 3661